

Message Text

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44

ACTION EB-07

INFO OCT-01 AF-06 ISO-00 EUR-12 L-03 SCS-03 SCA-01 /033 W

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FM AMEMBASSY NAIROBI

TO AMEMBASSY LONDON

INFO SECSTATE WASHDC 6142

LIMITED OFFICIAL USE NAIROBI 9868

E.O. 11652: N/A

TAGS: BDIS, KE

SUBJECT: SAUL'S RUBY MINE

REF: LONDON 17357

1. ACCORDING TO NAIROBI LAWYER WHO IS REPRESENTING SAUL AND MILLER ON NGANGA RUBY MINE CLAIM, MINE HAS NEVER BEEN FORMALLY NATIONALIZED THROUGH PUBLICATION OF DECREE OR OTHER FORM OF PUBLIC ANNOUNCEMENT. HOWEVER, MINE IS CLEARLY UNDER DE FACTO CONTROL OF KENYA MINISTRY OF NATURAL RESOURCES. LAWYER PERCEIVES NO REPEAT NO ADVANTAGE TO SAUL/MILLER INTERESTS IN ATTEMPTING TO OBTAIN WRITTEN CONFIRMATION OF NATIONALIZATION OF MINE FROM GOK AUTHORITIES.

2. KENYAN GOVERNMENT HAS DECIDED IN PRINCIPLE TO OFFER COMPENSATION FOR MINE. NEXT STEP WILL BE FOR MINISTRIES CONCERNED TO DETERMINE PRECISE AMOUNT OF COMPENSATION TO BE OFFERED FOR MINE. WE HAVE URGED GOK OFFICIALS TO MAKE THIS DETERMINATION IN NEAR FUTURE, BUT HAVE OBTAINED NO SPECIFIC ASSURANCES ON TIMING.

3. EMBASSY MAY INFORM MILLER OF FOREGOING. SUGGEST, HOWEVER, THAT HE BE ADVISED TO KEEP IN TOUCH WITH HIS PARTNER, SAUL, WHO IS IN REGULAR CONTACT WITH NAIROBI LAWYER ON THIS CASE.

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MARSHALL

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Message Attributes

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